

DEPARTMENT OF THE ARMY
Wilmington District, Corps of Engineers
Post Office Box 1890
Wilmington, North Carolina 28402-1890

Action ID No. 200201260

January 15, 2003

PUBLIC NOTICE

The NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT), DIVISION OF HIGHWAYS, 1548 Mail Service Center, Raleigh, North Carolina, 27699-1548 has applied for a Department of the Army (DA) permit pursuant to SECTION 404 OF THE CLEAN WATER ACT to discharge dredged or fill material into waters of the United States, including jurisdictional wetlands for the construction of a four-lane, median divided, full access control highway on new location from the current two-lane roadway west of Asheboro at SR 1326 to the four-lane, median divided facility east of Asheboro at SR 2713, and the construction of a new access to the North Carolina Zoological Park, RANDOLPH COUNTY, NORTH CAROLINA. State Project 8.1571401, Federal Aid No. NHF-64(19), TIP NO. R-2536, NCDOT Division 6.

Background:

The social, economic, and environmental impacts associated with potential build alternatives for this project have been described in a North Carolina Department of Transportation (NCDOT)/Federal Highway Administration (FHWA) Draft Environmental Impact Statement (DEIS) signed by FHWA on July 23, 2002.

The NCDOT/FHWA DEIS identifies and discusses forty-four (44) preliminary corridor segments, thirty-six (36) US 64 segments and eight (8) NC Zoo Connector segments in addition to northern alignment alternatives, Transportation Systems Management Alternatives, Multi-Modal Alternatives, and the No-Build Alternative. Based on an eighteen-factor evaluation criteria review, six preliminary corridor segments and two NC Zoo segments were eliminated from further study. The remaining 36 corridor segments were linked together to form thirty-three preliminary corridors. Based on potential impacts, nine of the US 64 preliminary corridors were selected for further study in the DEIS. The nine detailed study alternatives are along two basic corridors, with varying crossover points creating the nine combinations. The nine alternatives are evaluated in detail in Chapter 3 and 4 of the DEIS. All detailed study alternatives share the same corridor for the NC Zoo Connector.

Project Description:

The following description of the proposed project is taken from data provided by the applicant, NCDOT. The proposed project would be a four-lane, median divided facility with full access control on new location. All alternatives propose interchanges at existing US 64 west of Asheboro, NC 49, US 220 Bypass (future I-73/74), the Zoo Connector, NC 42, and existing US 64 east of Asheboro. The NC Zoo Connector portion of the project is proposed as a two-lane, parkway facility with a bridge carrying NC 159 over the Zoo Connector. The total length of the proposed project is approximately 14 miles.

The project is located in the Yadkin-Pee Dee River Basin (Hydrologic Unit 03040100) and the Cape Fear River Basin (Hydrologic Unit 03030004). Waters of the United States, including wetlands will be impacted by the proposed project. Major stream that may be impacted by the proposed project are Cable Creek, Taylors Creek, and Little River, in the Yadkin-Pee Dee River Basin; and North Prong Richland Creek, South Prong Richland Creek, Vestal Creek, Tanraugh Branch, Squirrel Creek, and Gabriels Cree, in the Cape Fear River Basin. The number of stream crossings range from 18 to 26 for the different alternatives carried forward for detailed studies (see Table 1). Wetland types potentially impacted by the proposed project are palustrine forested wetlands, palustrine emergent wetlands and low elevation seeps. Jurisdictional wetland impacts range from 4.1 acres to 8.8 acres and jurisdictional stream impacts range from 15,695 linear feet to 23, 292 linear feet (see Table 1).

Table 1. Aquatic Features within Detailed Study Corridors

Feature	Alternatives								
	1	2	4	10	13	14	22	29	33
Number of Streams	18	22	24	26	18	20	25	23	25
Stream feet (m)	19,230 (5,861)	21,627 (6,592)	23,566 (7,183)	23,265 (7,091)	15,695 (4,784)	18,114 (5,521)	20,866 (6,360)	23,292 (7,099)	19,961 (6,084)
Pond/Lake acres (ha)	3.9 (1.6)	2.1 (0.9)	2.3 (0.9)	2.5 (1.0)	3.9 (1.6)	2.1 (0.9)	2.0 (0.8)	2.6 (1.0)	2.7 (1.1)
Emergent Wetland acres (ha)	0.3 (0.1)	-	-	-	0.3 (0.1)	-	-	-	-
Forested Wetland acres (ha)	6.8 (2.8)	6.8 (2.8)	7.7 (3.1)	3.1 (1.3)	6.8 (2.8)	6.8 (2.8)	3.1 (1.3)	3.0 (1.2)	3.0 (1.2)
Low Elevation Seep acres (ha)	-	-	1.1 (0.5)	1.1 (0.5)	-	-	1.1 (0.5)	1.1 (0.5)	1.1 (0.5)
Total Wetland acres (ha)	7.1 (2.9)	6.8 (2.8)	8.8 (3.6)	4.2 (1.8)	7.1 (2.9)	6.8 (2.8)	4.2 (1.8)	4.1 (1.7)	4.1 (1.7)

Note: Areas and lengths are based on Preliminary Design

In order to more fully integrate Section 404 permit requirements with the National Environmental Policy Act of 1969, and to give careful consideration to our required public interest review and 404(b)(1) compliance determination, the Corps of Engineers is soliciting

public comment on the merits of the proposal and on the alternatives evaluated in the NCDOT/FHWA DEIS. At the close of this comment period, the District Engineer will evaluate and consider the scope of comments received as well as the expected adverse and beneficial impacts of the proposed road construction to select the least environmentally damaging, practicable alternative (LEDPA). The District Engineer is not authorizing construction of the road at this time. A final Department of the Army permit decision will not be made until after our review process is completed, impacts to the aquatic environment have been minimized to the maximum extent practicable, and a compensatory mitigation plan has been approved.

The NCDOT/FHWA DEIS is available for review at the Wilmington Regulatory Field Office of the Wilmington District U.S. Army Corps of Engineers, 69 Darlington Avenue, Wilmington, North Carolina, or at the North Carolina Department of Transportation, Project Development and Environmental Analysis Branch, Transportation Building, 1 South Wilmington Street, Raleigh, North Carolina

The State of North Carolina will review this public notice to determine the need for the applicant to obtain any required State authorizations. No Department of the Army (DA) permit will be issued until the coordinated State viewpoint on the proposal has been received and reviewed by this agency, nor will a Department of the Army permit be issued until the North Carolina Division of Water Quality has determined the applicability of a Water Quality Certification as required by PL 92-500.

This application is being considered pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344). Any person may request, in writing within the comment period specified in the notice, that a public hearing be held to consider this application. Requests for public hearing shall state, with particularity, the reasons for holding a public hearing.

The District Engineer has consulted the latest published version of the National Register of Historic Places (NHRP) for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein. The Cox-Brown Farm, which is located within the vicinity of the project, has been identified as eligible for listing in the NRHP; however, the NCDOT and State Historic Preservation Officer (SHPO) have determined that the project will not have an affect on this property. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of any other resources. Presently, unknown archeological, scientific, prehistoric, or historical resources may be present within the detailed study corridors and may be lost or destroyed by work under the requested permit. However, NCDOT will conduct intensive archaeological surveys on the build alternatives selected as the LEDPA and will coordinate these studies with the SHPO.

NCDOT has conducted surveys along the proposed project corridors to identify suitable, or critical habitat for species listed as Federally endangered or threatened pursuant to the Endangered Species Act of 1973. NCDOT has subsequently determined that the proposed project would have no effect on listed species know to occur within Randolph County. The

District Engineer, based on available information, is not aware that the proposed activity will affect species, or their critical habitat, designated as endangered or threatened pursuant to the Endangered Species Act of 1973.

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts that the proposed activity may have on the public interest requires a careful weighing of all those factors that become relevant in each particular case. The benefits that reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors that may be relevant to the proposal must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards and flood plain values (in accordance with Executive Order 11988), land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving the placement of dredged or fill materials in waters of the United States, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria, a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

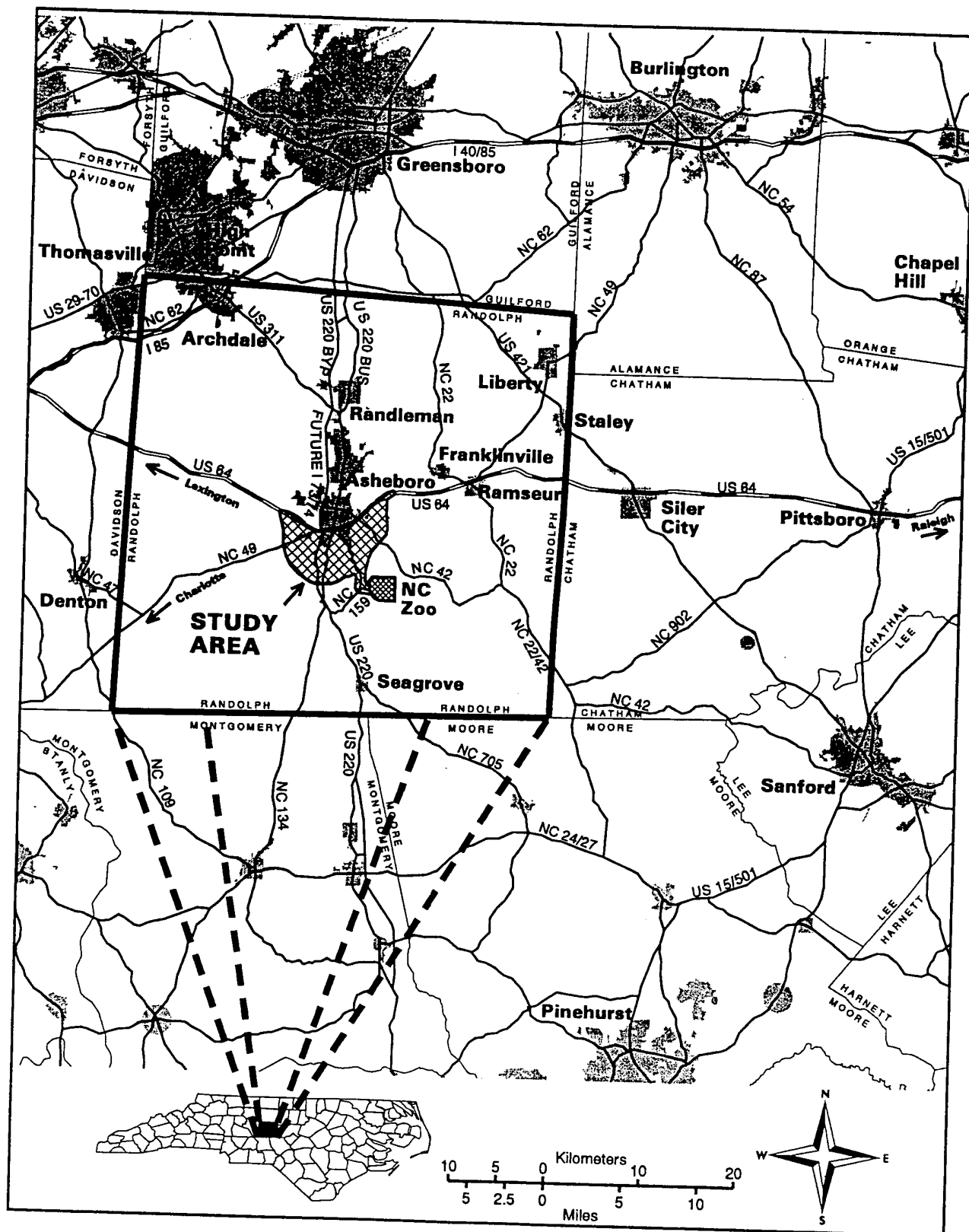
The Corps of Engineers is soliciting comments from the public; Federal, State and local agencies and officials; Indian Tribes and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Generally, the decision whether to issue this Department of the Army (DA) permit will not be made until the North Carolina Division of Water Quality (NCDWQ) issues, denies, or waives State certification required by Section 401 of the Clean Water Act. The NCDWQ considers whether or not the proposed activity will comply with Sections 301, 302, 306, and 307 of the Clean Water Act. The application and this public notice for the Department of the Army (DA) permit serves as application to the NCDWQ for certification.

Additional information regarding the Clean Water Act certification may be reviewed at the offices of the Environmental Operations Section, North Carolina Division of Environmental Management (NCDEM), Salisbury Street, Archdale Building, Raleigh, North Carolina. Copies of such materials will be furnished to any person requesting copies upon payment of reproduction costs.

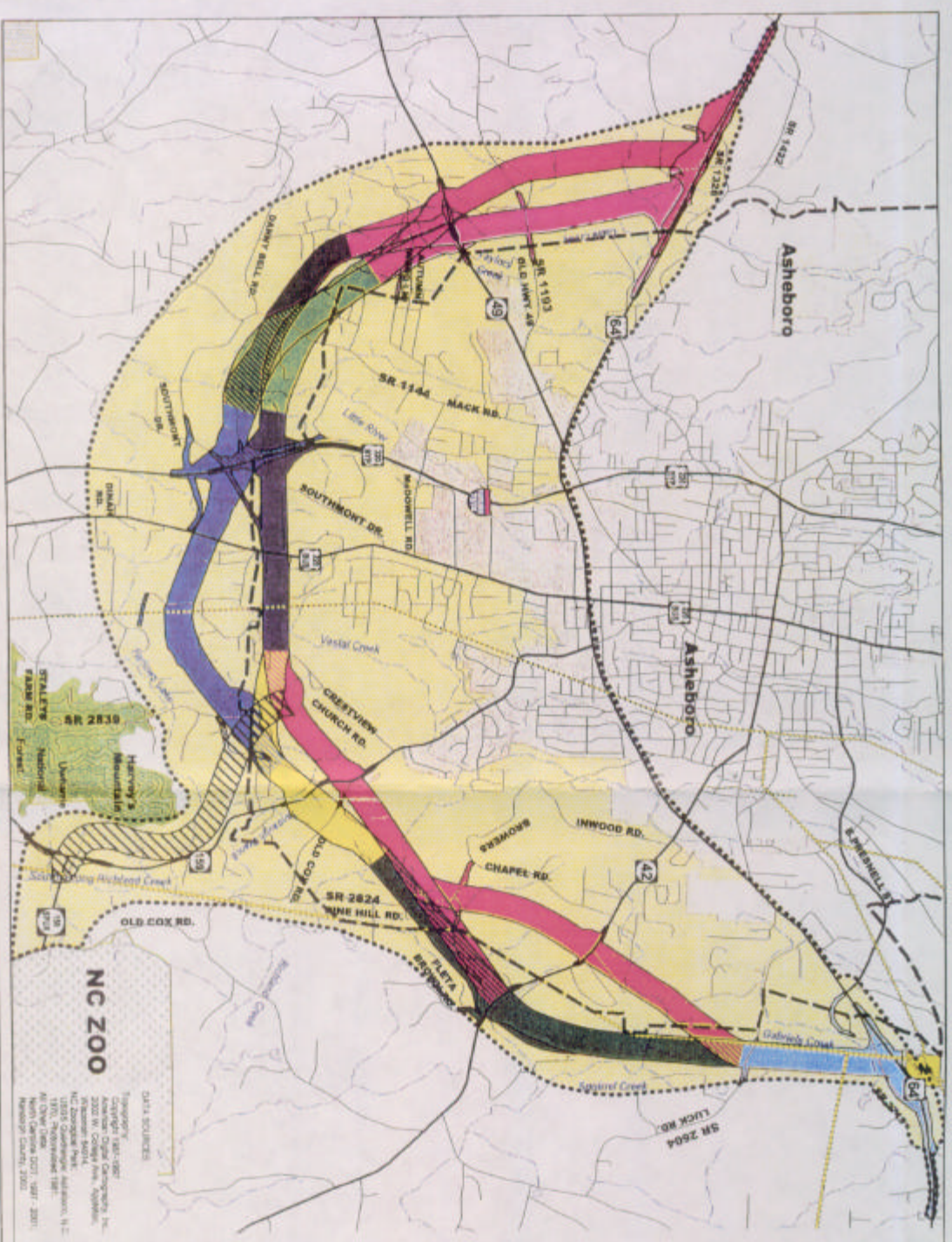
All persons desiring to make comments regarding the application for Clean Water Act certification should do so in writing delivered to the North Carolina Division of Water Quality, (NCDWQ), 1650 Mail Service Road, Raleigh, North Carolina 27699-1650, Attention: Mr. John Dorney.

Written comments pertinent to the proposed work, as outlined above, will be received in this office, Attention: Mr. Richard K. Spencer, until 4:30 p.m., February 14, 2003.



**NORTH CAROLINA
DEPARTMENT
OF
TRANSPORTATION**

PROJECT LOCATION
R-2536 US 64 IMPROVEMENTS
RANDOLPH COUNTY
FIGURE 1



DATA SOURCES:
 TRANSPORTATION
 1001-1007
 2000 W. COLONY RD., ASHEBORO, NC 27802
 10000 GARDENWAY, ASHEBORO, NC 27802
 10000 GARDENWAY, ASHEBORO, NC 27802
 10000 GARDENWAY, ASHEBORO, NC 27802
 10000 GARDENWAY, ASHEBORO, NC 27802

Legend


- Multicolor
- Detailed Study Alternative
- NC Zoo Connector Corridor
- Primary Road
- Secondary Road
- Major Stream
- NC Zoological Park
- Unhatched National Forest
- Project Study Area
- Municipal Boundary
- Limit of Extra Territorial Jurisdiction
- Pronounced Topography
- Main Electrical Transmission Line
- Easement
- Electrical Substation

Alternative 1	Alternative 2	Alternative 4	Alternative 10	Alternative 13	Alternative 14	Alternative 22	Alternative 29	Alternative 33

0 0.5 1 Miles

0 2000 4000 Feet

0 0.8 1.6 Kilometers



DETAILED STUDY ALTERNATIVES
 US 64 IMPROVEMENTS
 TIP FRAME NO. 8, 12, 18
 RANDOLPH COUNTY
 FIGURE 2.6